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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/067,688	02/04/2002	Roland Kraus	40997 US	6984

7590 05/04/2004
Tyco Technology Resources
Suite 450
4550 New Linden Hill Road
Wilmington, DE 19808

EXAMINER

DINH, PHUONG K

ART UNIT	PAPER NUMBER
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2839

DATE MAILED: 05/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/067,688

Applicant(s)

KRAUS ET AL.

Examiner

Phuong KT Dinh

Art Unit

2839

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 April 0123.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,7-13 and 15-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-4,7-13 and 15-20 is/are allowed.
- 6) ☒ Claim(s) 21-23,26 and 27 is/are rejected.
- 7) ☒ Claim(s) 24-25 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 21, 23 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson (U. S. Patent 4,730,892) in view of Woffhal (U. S. Patent 4,211,462).

Regarding claim 21, Anderson discloses housing for receiving an optical fiber 13 having a receptacle for the optical fiber, the housing 10, 12 comprising: a retention member 16, 14 formed integrally with the housing and initially supported in a preassembly position over the receptacle of the housing 10, 12. Anderson discloses the claimed invention except for at least one frangible web that is severable from the housing to completely separate the retention member from the housing when the retention member is displaced into an assembly position. Woffhal discloses at least one frangible web at 30 supporting the retention member in the housing. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Anderson to provide the at least one frangible web supporting the retention member in the housing as taught by Woffhal in order to facilitate the insertion of the cord in the cavity.

Regarding claim 23, Anderson and Woffhal disclose the claimed invention except for a member includes a receptacle for receiving a plunger of an assembly tool. it would

have been obvious to one of ordinary skill in the art at the time the invention was made to use the receptacle for receiving a plunger of an assembly tool as figure 7 to push the retainer in position.

Regarding claim 26, Anderson discloses a tubular insertion aid formed as an extension into the receptacle.

Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson (U. S. Patent 4,730,892) in view of Woffhal (U. S. Patent 4,211,462) and further in view of Heng (U. S. Patent 4,755,018).

Regarding claim 22, Anderson and Woffhal disclose the claimed invention except for the retention member includes teeth disposed on a surface of the retention member for engaging the optical fiber. Heng discloses the retention member includes teeth 1B41' and 1A41' disposed on a surface of the retention member for engaging the optical fiber. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Anderson and Woffhal to provide the teeth as taught by Heng so as to grip the wire.

Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson (U. S. Patent 4,730,892) in view of Woffhal (U. S. Patent 4,211,462) and further in view of Smith (European Patent 0 290 188 A2).

Regarding claim 27, Anderson and Woffhal disclose the claimed invention except for the housing includes two receptacles into which two optical fibers are respectively insertable substantially parallel to one another and the optical fibers are fixable by means of the same retention member. Smith discloses two receptacles 20, 21 into

which two optical fibers 47, 48 are respectively substantially parallel to one another. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Anderson and Woffhal to provide the housing includes two receptacles into which two optical fibers are respectively insertable substantially parallel to one another as taught by Smith so as to provide better assembly.

Allowable Subject Matter

3. Claims 24-25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
4. None of the reference discloses the guide projections along which the retention member is displaceable.
5. Claims 1-4, 7-13 and 15-20 are allowed.
6. The following is an examiner's statement of reasons for allowance:
7. None of the reference discloses the guide projections along which the retention member is displaceable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

8. Applicant's arguments with respect to claims 21-23, 26-27 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any response to this action may be mailed to:

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

For additional information regarding this new address, which was effective May 1, 2003, see *Correspondence with the United States Patent and Trademark Office*, 68 Fed. Reg. 14332 (March 25, 2003).

Or Faxed to:

(703) 872-9306.

Hand-delivered responses should be brought to:

Crystal Plaza 4, Fourth Floor (Receptionist)

2201 South Clark Place, Arlington, Virginia.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong KT Dinh whose telephone number is 571-272-2090. The examiner can normally be reached on 8 -5, 5 days a week.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Field can be reached on 571-272-2092. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Phuong Dinh', with a stylized flourish above the name.

Phuong Dinh
April 26, 2004.